

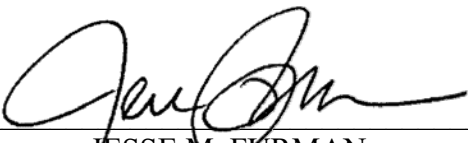


(10th Cir. 2011) (“A stipulation of dismissal filed under Rule 41(a)(1)(A)(i) or (ii) is self-executing and immediately strips the district court of jurisdiction over the merits.”). Moreover, “‘notices of dismissal filed in conformance with the explicit requirements of Rule 41(a)(1)(A)(i) are not subject to vacatur,’ except in certain rare circumstances — not present here — ‘where the merits have been brought before the court before the filing of either the answer or a motion for summary judgment.’” *Alix*, 470 F. Supp. 3d at 317 (quoting *Thorp v. Scarne*, 599 F.2d 1169, 1176 (2d Cir. 1979), and then *Champions League, Inc. v. Big3 Basketball, LLC*, No. 17-CV-7389 (LTS) (KHP), 2018 WL 5619973, at \*4 (S.D.N.Y. Sept. 17, 2018)).

In short, Plaintiff’s change of heart is not a valid basis for reconsideration. Accordingly, his motion for reconsideration is DENIED as meritless and the case remains closed. As noted in the Court’s February 9, 2022 endorsement, the Court retains jurisdiction to decide whether sanctions or a litigation bar should be imposed. *See* ECF No. 116. at 2. The Clerk of Court is directed to terminate ECF No. 117.

SO ORDERED.

Dated: February 10, 2022  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge